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Volker Krisch

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09/02/2009

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EXAMINER

MERLINO, ALYSON MARIE

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3673

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/562,166	Applicant(s) KRISCH ET AL.	
	Examiner ALYSON M. MERLINO	Art Unit 3673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The examiner acknowledges applicant's amendments to claims 19-68 filed 19 May 2009.

Double Patenting

2. Applicant is advised that should the first claim 45 be found allowable, the second claim 45 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 25, 36, 37, 42, 53, and 58 are rejected** under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. **In regards to claims 36 and 53**, it is unclear how the driver is moved in a direction relative to the long axis of the knob shaft only, when the preceding lines of the claim recite that the movement of the blocking element can be actuated by either the lock core or the knob shaft. For examination purposes, it will be considered that the drier is moved relative to a long axis of either the lock core or the knob shaft until further clarification from applicant.

Art Unit: 3673

6. **In regards to claims 25, 42, and 58**, it is unclear whether the "compression sleeve" is equivalent to the sleeve recited in the preceding lines of the claims, and if the compression sleeve is equivalent to the sleeve, then it is unclear how the sleeve cooperates with a free end of the pin if the pin is component 16, then the slide cooperates with the pin. For examination purposes, the claims will be given a broad interpretation until further clarification from applicant.

7. **In regards to claim 37**, it is unclear how many lock cores and knob shafts are included in the device, when the claim language suggests that each cylindrical receptacle has a lock core and a knob shaft. For examination purposes, the claim will be given a broad interpretation until further clarification from applicant.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. **Claims 19, 21, 22, 29, 35, 36, 38, 39, 53-55, 62, and 68 are rejected** under 35 U.S.C. 102(b) as being anticipated by Niemann (EP 1 065 335 A1). The computer-generated translation of Niemann will be referred to within the rejection by paragraph numbers.

10. **In regards to claims 19, 36, 37, and 53**, Niemann discloses an electromechanical lock cylinder (Figure 1) that cooperates with evaluation electronics to recognize access authorization, comprising two opposite cylindrical receptacles 12, 13,

Art Unit: 3673

at least one of which includes a lock core 14, which can be operated by a key (apparent from Figure 1) that is mounted to rotate, in which the lock core cooperates with the lock tab 17, 18, which operates, in particular, a bolt or latch of a door lock (Paragraph 26), and with a fitting key (Paragraph 25), an electromechanically driven blocking or coupling element (Figure 4b) is moved from a rest position (Figure 2) to an operating position and produces a splined connection between the key and the lock tab (Figure 5b), whereas the lock tab, in the rest position of the blocking or coupling element, is freely rotatable (apparent that there is no connection in Figure 2) relative to the lock core, wherein the blocking or coupling element is arranged on the lock (apparent from Figure 1) and rotates with it (apparent from Figures 2 and 5, rotates when coupled together), and includes an eccentric 26 that is rotatable between a first (Figure 4b) and second (Figure 5b) position such that when the eccentric is in the first position, a driver 27 in communication therewith is in a rest position (apparent from Figure 4b), and when the eccentric is rotated from the first position to the second position, the driver is moved in a direction substantially perpendicular to a long axis (see figure below) of the lock core into an operating position (see figure below) in which the driver engages in a recess 29 of the lock tab.

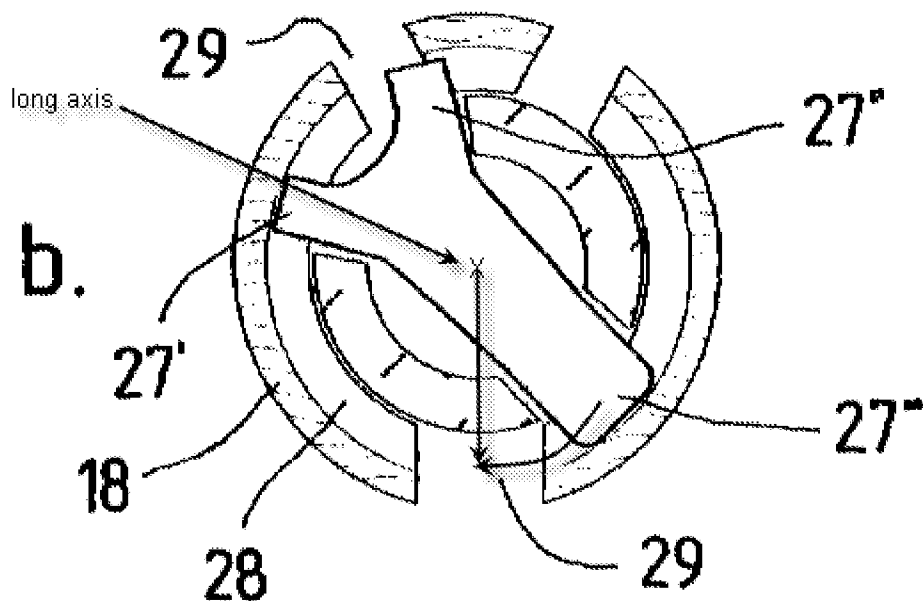


FIG. 4

11. In regards to claims 21, 22, 38, 39, 54, and 55, Niemann discloses that the rest position and/or the operating position of the driver lie beyond the corresponding dead centers of the eccentric by a predetermined angle of rotation of 10° to 30° beyond the corresponding dead center (position of driver, apparent from Figures 4b and 5b).
12. In regards to claims 29 and 62, Niemann discloses that the driver is held in the rest position by spring force (force created by spring 39).
13. In regards to claims 35 and 68, Niemann discloses that the blocking or coupling element includes an electromagnetic drive (Paragraph 35).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

16. **Claim 20 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Niemann (EP 1 065 335 A1) in view of Kornhofer et al. (WO 02/088492 A2). The computer-generated translation of Kornhofer et al. and Niemann will be referred to within the rejection by paragraph numbers. Niemann discloses the lock core that is capable of being operated by a key (apparent from Figure 1), as applied to claim 19 above, but fails to disclose that a continuous lock core which extends from one side of the housing to the opposite side and is capable of being operated from both sides by a key. Kornhofer et al. teaches an electromechanical lock (Figure 1) having a continuous lock core 2, 3, which extends from one side of a housing 1 to the opposite side and is

Art Unit: 3673

capable of being operated from both side by a key (apparent from Figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a lock core on the opposite side of the housing from the lock core 2, disclosed by Niemann, since second lock core would move the lock tab to actuate the latch of the door and to enhance the security of the device by having two key-operated lock cores.

17. **Claims 23, 24, 40, 41, 46, 52, 56, and 57 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Kornhofer et al. (WO 02/088492 A2) in view of Niemann (EP 1 065 335 A1). The computer-generated translation of Kornhofer et al. and Niemann will be referred to within the rejection by paragraph numbers.

18. **In regards to claims 23 and 56**, Kornhofer discloses an electromechanical lock cylinder (Figure 1) that cooperates with evaluation electronics to recognize access authorization (apparent from Paragraph 12), comprising a housing 1 that includes two opposite cylindrical receptacles (apparent receptacles receiving components 2 and 3, Figure 1), at least one of which includes a lock core 2, 3 which can be operated by a key (Paragraph 12) that is mounted to rotate, which the lock core cooperates with a lock tab (portion between components 2 and 3, Figure 1), which operates, in particular a bolt or a latch of a door lock (apparent from Figure 1), and, with a fitting key, and an electromechanically driven blocking element 8 is moved from a rest position (position shown in shadow, Figure 3) to an operating position (position shown in Figure 1). Kornhofer et al. further discloses an eccentric 6, which moves a driver (portion of 8 between component 7 and the end of the 8, Figure 2) back and forth between the rest position and the operating position (apparent from Figure 3), in which it engages a

Art Unit: 3673

recess 10 of the lock core 2, wherein the eccentric has a pin 7 arranged eccentrically around a motor shaft (apparent from Figure 1), Which engages a groove 9 extending across the lift movement of the driver (apparent from Figure 3) and perpendicular to the motor shaft (apparent from Figures 1 and 2), whose position and length are dimensioned so that a rotary movement from the rest position into the operating position is only possible in one direction of rotation, and the rotational movement from the operating position into the rest position of the driver is only possible in the opposite direction of rotation (apparent from Figures 2 and 3). Kornhofer et al. fails to disclose that the blocking element produces a splined connection between the key and lock tab, whereas the lock tab, in the rest position of the blocking element is freely rotatable relative to the lock core, and wherein the blocking element is arranged on the lock core and rotates with it. Niemann teaches an electromechanical lock cylinder (Figure 1) that includes a lock core 14, which can be operated by a key (apparent from Figure 1) that is mounted to rotate, in which the lock core cooperates with the lock tab 17, 18, which operates, in particular, a bolt or latch of a door lock (Paragraph 26), and with a fitting key (Paragraph 25), an electromechanically driven blocking or coupling element (Figure 4b) is moved from a rest position (Figure 2) to an operating position and produces a splined connected between the key and the lock tab (Figure 5b), whereas the lock tab, in the rest position of the blocking or coupling element, is freely rotatable (apparent that there is no connection in Figure 2) relative to the lock core, wherein the blocking or coupling element is arranged on the lock (apparent from Figure 1) and rotates with it (apparent from Figures 2 and 5, rotates when coupled together). It would have been

Art Unit: 3673

obvious to one of ordinary skill in the art at the time the invention was made to position the electromechanical blocking element to be on the lock core so that the element rotates with it, and creates a splined connection between the key and the lock tab, as taught by Niemann, since Niemann teaches the use of a blocking element for creating the splined connection and since it has been held that rearranging parts of an invention involves only routine skill in the art.

19. **In regards to claims 24, 41, and 57**, Kornhafer et al. discloses that the length and position of the groove are chosen, in order to permit further rotation of the eccentric from the rest position to the operating position of the driver beyond the dead center by the angle of rotation and vice versa (apparent from Figures 2 and 3).

20. **In regards to claim 40**, Kornhofer discloses an electromechanical lock cylinder (Figure 1) that cooperates with evaluation electronics to recognize access authorization (apparent from Paragraph 12), comprising a housing 1 that includes two opposite cylindrical receptacles (apparent receptacles receiving components 2 and 3, Figure 1), at least one of which includes a lock core 2, 3 which can be operated by a key (Paragraph 12) that is mounted to rotate, which the lock core cooperates with a lock tab (portion between components 2 and 3, Figure 1), which operates, in particular a bolt or a latch of a door lock (apparent from Figure 1), and, with a fitting key, and an electromechanically driven blocking element 8 is moved from a rest position (position shown in shadow, Figure 3) to an operating position (position shown in Figure 1). Kornhofer et al. further discloses an eccentric 6, which moves a driver (portion of 8 between component 7 and the end of the 8, Figure 2) back and forth between the rest

Art Unit: 3673

position and the operating position (apparent from Figure 3), in which it engages a recess 10 of the lock core 2, wherein the eccentric has a pin 7 arranged eccentrically around a motor shaft (apparent from Figure 1), which engages a groove 9 extending across the lift movement of the driver (apparent from Figure 3) and perpendicular to the motor shaft (apparent from Figures 1 and 2), whose position and length are dimensioned so that a rotary movement from the rest position into the operating position is only possible in one direction of rotation, and the rotational movement from the operating position into the rest position of the driver is only possible in the opposite direction of rotation (apparent from Figures 2 and 3). Kornhofer et al. fails to disclose that the blocking element produces a splined connection between the key and lock tab, whereas the lock tab, in the rest position of the blocking element is freely rotatable relative to the lock core, wherein the blocking element is arranged on the lock core and rotates with it, and that the two opposite cylindrical receptacles includes on one side of the housing the lock core (lock core 2 disclosed by Kornhafer et al.) and on the opposite side, a knob shaft, which is connected to rotate in unison with a knob. Niemann teaches an electromechanical lock cylinder (Figure 1) that includes a lock core 14 within a first cylindrical receptacle 12, with the lock core being operated by a key (apparent from Figure 1) that is mounted to rotate, in which the lock core cooperates with the lock tab 17, 18, which operates, in particular, a bolt or latch of a door lock (Paragraph 26), and with a fitting key (Paragraph 25), a knob shaft 16 within a second cylindrical receptacle 13, which is connected to rotate in unison with a knob 19, an electromechanically driven blocking or coupling element (Figure 4b) is moved from a

Art Unit: 3673

rest position (Figure 2) to an operating position and produces a splined connection between the key and the lock tab (Figure 5b), whereas the lock tab, in the rest position of the blocking or coupling element, is freely rotatable (apparent that there is no connection in Figure 2) relative to the lock core, wherein the blocking or coupling element is arranged on the lock (apparent from Figure 1) and rotates with it (apparent from Figures 2 and 5, rotates when coupled together). It would have been obvious to one of ordinary skill in the art at the time the invention was made to position the electromechanical blocking element to be on the lock core so that the element rotates with it, and creates a splined connection between the key and the lock tab, as taught by Niemann, since Niemann teaches the use of a blocking element for creating the splined connection and since it has been held that rearranging parts of an invention involves only routine skill in the art. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a knob shaft and knob on the opposite side of the housing from the lock core 2, disclosed by Kornhafer et al, since the knob shaft and knob would move the lock tab to actuate the latch of the door and to provide ease of actuation of the latch possibly from the inside surface of the door.

21. **In regards to claim 46**, Kornhafer et al. discloses that the driver is held in the rest position by spring force (spring force created by spring 13).

22. **In regards to claim 52**, Kornhafer et al. discloses that the blocking element includes an electric motor drive 5.

23. **Claims 25-28 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Kornhofer et al. (WO 02/088492 A2) in view of Niemann (EP 1 065 335 A1) as applied

Art Unit: 3673

to claims 23, 24, 40, 41, 46, 52, 56, and 57 above, and further in view of Goldman (US-6865916).

24. **In regards to claim 25, 42, and 58**, Kornhofer et al. in view of Niemann teaches the electromechanical lock cylinder as applied to claims 23, 24, 40, 41, 46, 52, 56, and 57, with the driver having a free end (end above reference character 8, Figure 3) that enters a recess 10, but fails to teach that the driver includes a slide, whose free end is guided in a sleeve, wherein a free end of the sleeve enters the recess of the lock tab or rotary sleeve, wherein a compression spring is arranged in an interior of the sleeve. Goldman teaches an electromechanical lock cylinder including a driver 42 that has a slide 28, 32, whose free end 32 is guided in a sleeve 16, and wherein a compression spring 34 is arranged in an interior of the sleeve (Figure 3B), which cooperates with a free end of the driver (apparent from Figure 3B). Since the inclusion of the slide and spring within the driver disclosed by Kornhofer et al. would not hinder the ability of the driver to be placed in the rest position, it would have been obvious to one of ordinary skill in the art at the time the invention was made to specify that the driver be constructed of a sleeve and spring instead of one piece for ensuring that the driver engages the recess of the lock tab, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art.

25. **In regards to claims 26, 28, 43, 45, 59, and 61**, Niemann in view of Goldman teaches that the depth of the recess of the lock tab (Figure 5b) is dimensioned so that when the driver is engaged, the compression spring is still under tension (Figure 3B of Goldman).

Art Unit: 3673

26. **In regards to claims 27, 44, and 60**, Niemann in view of Goldman teaches that the sleeve on its side opposite the free end of the driver has a stop (portion between reference character 28 and 32 indicators, Figure 3B), against which a thickened end of the slide stops (Figure 3B).

27. **Claims 30-34, 47-51, and 63-67 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Niemann (EP 1 065 335 A1) in view of Büser et al. (US-5010750).

Niemann discloses the electromechanical lock cylinder as applied to claims 19, 21, 22, 36, and 53 above, but fails to disclose that the lock cylinder includes recording devices, such as a sensor, to record the status of various components of the lock through the use of a signal. Büser et al. teaches an electromechanical lock cylinder having multiple recording devices S1, S2 such as a sensor for evaluating the status of components.

Since the inclusion of recording devices such as a sensor would not hinder the ability of the electromechanical lock cylinder to actuate a bolt or latch of a door lock, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include recording devices, such as sensors, to evaluate the status of a component of a device in order to enhance the security and efficiency of operation of the device.

Response to Arguments

28. Applicant's arguments filed 19 May 2009 have been fully considered but they are not persuasive.

29. The Double Patenting Objection to the second claim 45 is maintained since applicant has not cancelled the second claim 45 or remarked about the Double Patenting objection.

Art Unit: 3673

30. In response to applicant's arguments against the references individually, especially Kornhofer and Goldman, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

31. In regards to applicant's remarks concerning the Niemann reference, the examiner respectfully disagrees noting that the structure disclosed by Niemann is an eccentric, since just reciting an "eccentric" leaves the claim language open to a number of interpretations. For example, it is clear that the center of mass of the eccentric 26 is off center or eccentrically located from its axis of rotation, see the annotated figure above, therefore, the eccentric 26 has an axis away from the center. Furthermore, applicant merely alleges that component 26 is not an eccentric, however, applicant has not set forth the definition of an eccentric that applicant is considering, and the claim language does not provide any further structure to the eccentric. Furthermore, it is clear from the figure above that the eccentric 26 of Niemann moves in a direction "substantially perpendicular" to a long axis of the knob shaft or lock core as claimed. Therefore, the rejections are maintained.

32. In regards to applicant's remarks stating that the Examiner has failed to show how one skilled in the art would modify the prior art with Büser et al., applicant is referred to the rejection above stating that it would have been obvious to one of ordinary skill in the art at the time the invention was made to include recording devices, such as sensors, to evaluate the status of a component of a device in order to enhance the

Art Unit: 3673

security and efficiency of operation of the device. Therefore, the rejections are maintained

33. The examiner appreciates applicant's amendments to claims 19, 23, 36, 40, 53, and 56, and therefore, the drawing objections set forth in the previous office action are withdrawn.

34. The examiner appreciates applicant's amendments to claims 19, 20, 23, 40, 53, and 56, and therefore, the claim objections set forth in the previous office action are withdrawn.

35. The examiner appreciates applicant's remarks concerning the rejection of claims 19, 23, 36, 40, 53, and 56 under 35 U.S.C. 112, second paragraph, and therefore, the "freely rotatable" limitation will be interpreted as the lock tab being freely rotatable because it is not connected for rotation by the lock core or knob shaft. Also, the rejections of claims 19, 23, 36, 40, 53, and 56 under 35 U.S.C. 112, second paragraph, concerning the "freely rotatable" limitation set forth in the previous office action are withdrawn.

36. The examiner appreciates applicant's amendments to claim 19, and therefore, the rejection of claim 19 under 35 U.S.C. 112, second paragraph, set forth in section 8 of the previous office action is withdrawn. The rejection of claims 36 and 53 in section 8 of the previous office action is maintained since no amendments were made to the claims to overcome this rejection.

Art Unit: 3673

37. The examiner appreciates applicant's amendments to claim 23, and therefore, the rejection of claim 23 under 35 U.S.C. 112, second paragraph, set forth in the previous office action is withdrawn.

38. The examiner appreciates applicant's amendments to claims 25, 27, 42, 44, 58, and 60, and therefore, the rejections of the claims under 35 U.S.C. 112, second paragraph, set forth in sections 10 and 11 of the previous office action is withdrawn. However, in light of the amendments, a rejection of claims 25, 42, and 58 under 35 U.S.C. 112, second paragraph, is set forth above.

39. The examiner appreciates applicant's amendments to claim 37, and therefore, the rejection of claim 37 under 35 U.S.C. 112, second paragraph, set forth in the previous office action is withdrawn. However, in light of the amendments made to claim 37, a rejection of the claim under 35 U.S.C. 112, second paragraph, is set forth above.

Conclusion

40. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 3673

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALYSON M. MERLINO whose telephone number is (571)272-2219. The examiner can normally be reached on Monday through Friday, 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter M. Cuomo/
Supervisory Patent Examiner, Art Unit 3673

AM
August 31, 2009